

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

AUTOPARTSOURCE LLC,

Plaintiff,

v.

STEPHEN C. BRUTON

and

BBH SOURCE GROUP LLC,

Defendants.

Civ. A. No. 3:13CV054

**DECLARATION OF ROBYN SUZANNE GRAY
IN SUPPORT OF PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT**

I, Robyn Suzanne Gray, hereby declare and state the following:

1. I am an attorney with the firm of McGuireWoods LLP. I am over the age of twenty-one (21) years old and am competent to testify in this matter. The facts stated herein are based on my personal knowledge, review of relevant records, and discussions with knowledgeable persons. I am a resident of the Commonwealth of Virginia.

2. I am an attorney of record for AutoPartSource LLC ("APS") in the above-referenced matter. I am submitting this Declaration in support of APS's Motion for Default Judgment pursuant to Rule 55(b) of the Federal Rules of Civil Procedure. APS is seeking a default judgment against BBH Source Group LLP ("BBH") for its failure to defend three claims APS brought against BBH: Violation of the Virginia Uniform Trade Secret Act (Count I); Tortious Interference with Contract (Count III); and Tortious Interference with Business Expectancy (Count IV).

EXHIBIT

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3. Pursuant to the Virginia Uniform Trade Secret Act, attorneys' fees and costs may be awarded to a plaintiff who can show that the misappropriation was willful and malicious. Va. Code § 59.1-336. APS is seeking its attorneys' fees and costs for time spent litigating the trade secret claim.

4. To properly identify and allocate time spent of work related to the investigation and litigation of BBH's misappropriation, I carefully reviewed and analyzed the relevant time entries and expenses in McGuireWoods' billing records. Where misappropriation-related time entries also included time entries irrelevant to the pending litigation (i.e., time entries spent litigating Defendant Stephen C. Bruton's Chapter 13 bankruptcy filing or his unemployment claims), I determined how much time should be allocated to the misappropriation claims based on either: (1) information in McGuireWoods' billing records; and/or (2) by instructing each timekeeper to perform the allocation in a conservation fashion, if applicable.

5. I reviewed all time and expenses related to the misappropriation claim to ensure the reasonableness of the hours submitted to the Court. These fees and expenses are based on contemporaneous time records that each timekeeper kept while working on various tasks relating to BBH's misappropriation.

6. All hours expended by McGuireWoods LLP professionals (including attorneys and senior paralegals) in the investigation and litigation of the misappropriation claims were reasonable, necessary and actually worked. In my experience, the number of hours billed were reasonable based on the experience level of the professionals, the complexity of the issues raised and the forensic analysis of Defendant Bruton's computer. Should the Court request proof of the fees and costs incurred, McGuireWoods LLP will submit the time entries related to the misappropriation investigation and litigation for an *in camera* review.

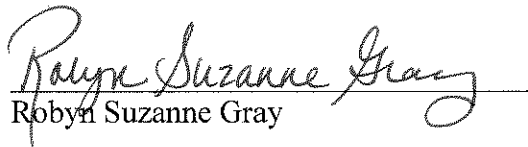
7. As of May 22, 2013, McGuireWoods has billed (or will be billing to APS) attorneys' fees and costs in the amount of \$52,464.37.

8. Attached hereto as Exhibit A is an invoice for services rendered by Vestigant, LLC actually billed to APS. Vestigant forensically analyzed Defendant Bruton's APS-issued laptop after his termination.

9. In total, APS has incurred attorneys' fees and costs in the amount of \$58,997.72 through May 22, 2013, related to its claim for misappropriation of trade secrets.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 23rd day of May, 2013.


Robyn Suzanne Gray

 Vestigant

Invoice

McGuireWoods LLP
Attn: Robbi Gray, Esq.
901 E. Cary Street
Richmond VA 23219

Invoice #
10719

January 31, 2013

Client ID: 0109.0029

In reference to: Auto Parts Solutions

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Total fees	\$6,012.50
Total expenses	\$340.47
Interest	\$0.00
Administrative Fee	\$180.38
Current Invoice Amount	\$6,533.35

See following pages for billing detail and Total Outstanding Balance

Vestigant, LLC
PO Box 23
McLean, VA 22101-0023

202-905-2170

EXHIBIT

A

Invoice

Client ID: 0109.0029

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Professional Services

<u>Date</u>	<u>Description</u>	<u>Rate</u>	<u>Hours</u>	<u>Amount</u>
1/17/2013	Make clone of IT001 and send to client	\$325.00	2.00	\$650.00
1/18/2013	Image IT001	\$325.00	2.00	\$650.00
1/23/2013	IT001 Internet History Carve; keyword search	\$325.00	4.00	\$1,300.00
1/24/2013	Analyze IT001; call with client; USB Device Deleted file production	\$325.00	4.50	\$1,462.50
1/25/2013	Skype chat production; keyword review	\$325.00	4.00	\$1,300.00
1/28/2013	USB device data and metadata	\$325.00	2.00	\$650.00

For professional services rendered

\$6,012.50

Additional Charges :

<u>Date</u>	<u>Description</u>	<u>Price</u>	<u>Qty</u>	
1/17/2013	Hard drive (clone of IT001 to external)	\$150.00	1	\$150.00
1/18/2013	Hard drive (IT001)	\$150.00	1	\$150.00
1/21/2013	FedEx	\$22.18	1	\$22.18
1/24/2013	FedEx	\$18.29	1	\$18.29

Total additional charges

\$340.47

Administrative Fee

\$180.38

Total amount of this bill

\$6,533.35

Vestigant, LLC
 PO Box 23
 McLean, VA 22101-0023

202-905-2170

Invoice

Client ID: 0109.0029

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Amount

Total Outstanding Balance

\$6,533.35

Please remit payment to: Vestigant, LLC, P.O. Box 23, McLean, VA 22101-0023

Please notify us if your contact information has changed.

McGuireWoods LLP
Attn: Robbi Gray, Esq.
Richmond, VA 23219

Vestigant, LLC
PO Box 23
McLean, VA 22101-0023

202-905-2170